

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of : Confirmation No. 4774
Heinz WALTER et al. : Group Art Unit: 2857
Application No. 10/051,297 : Examiner: Jeffrey R. West
Filed: January 22, 2002 :
For: ELECTRICAL TRANSDUCER :

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Sir:

On March 21, 2008, Notification of Non-Compliant Appeal Brief was issued that asserted that the Appeal Brief filed March 11, 2008, failed to comply with the provisions of 37 CFR 41.37 because the Brief supposedly failed to map independent claim 12 to the specification by page and line number. However, this notification has been issued in error since claim 12 is not an independent claim and to the contrary is one of the claims to which the statement on page 4 that "Those claims, the substance of which is not described above are considered to rise or fall with the claim(s) from which they depend" applies. In a telephone conversation with Specialist Williams on even date, it was confirmed that the reference to claim 12 was an error and it is claim 16 that should have been identified. It was further indicated to be sufficient to merely provide a new paragraph which adds references to the specification in addition to the reference numbers provided. Such a new paragraph is submitted herewith on the following. Therefore, it is submitted that the Appeal Brief as now supplemented is in full compliance with the provisions of 37 CFR 41.37 and that the appeal proceedings should proceed on the basis thereof.

V. Summary of Claimed Subject Matter (Claim 16 Supplement)

Independent claim 16 recites a method of producing an indication of a measured value uses an electrical transducer 1, as described above, to produce an output current which is proportional to the measured value so that an analog measurement signal transmission path is realized (paragraph [0035], lines 1-6, page 11). In accordance with the method, the electronic circuit (the analog end stage 3) converts an output signal of the sensor 2 into an impressed output current with a level corresponding to the measured value ((paragraph [0035], last sentence, page 11) , the electrical transducer 1 being programmed using the processor circuit 4 so that, during normal operation of the transducer, the processor circuit 4 is shifted temporarily into a sleep mode, the output signal of the sensor 2 being supplied to an analog scaling unit 8, and at least one analog setting value U_1 , U_3 , being supplied to the analog scaling unit 8, and the output signal of the analog scaling unit 8 being supplied to the electronic circuit (analog end stage 3) (paragraph [0036], pages 11-12).

Respectfully submitted,

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